IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TRAVIS PAGAN,   )
)
          Petitioner,   )
)
     v.   )   1:13CV9-1
)
REUBAN YOUNG,   )
)
          Respondent.   )

ORDER

This matter is before this court for review of the Memorandum Opinion and Recommendation filed on March 11, 2014, by the Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 12.) In the Recommendation, the Magistrate Judge recommends that Respondent's Motion for Summary Judgment (Doc. 6) be granted, that the Petition for Writ of Habeas Corpus (Doc. 1) be denied, and that this action be dismissed. The Recommendation was served on the parties to this action on March 11, 2014. Petitioner timely filed objections (Doc. 14) to the Recommendation.
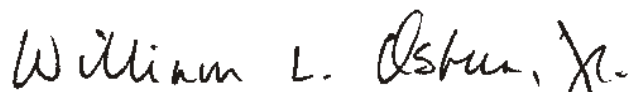
This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or

modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

This court has appropriately reviewed the portions of the Recommendation to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation (Doc. 12) is **ADOPTED. IT IS FURTHER ORDERED** that Respondent's Motion for Summary Judgment (Doc. 6) is **GRANTED,** that the Petition for Writ of Habeas Corpus (Doc. 1) is **DENIED,** and that this action be dismissed. A Judgment dismissing this action will be entered contemporaneously with this Order. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

This the 20th day of May, 2014.

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United States District Judge